IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NOS. 8385; 8445 AND 8446 OF 2005

WRIT PETITION NO : 8385 of 2005

Between:

Rajendra Prasad, S/o Late Swamy Sri Laxminarasimha

Swamy Money Lenders, H. No. 1-7-120, RB Nagar, Bhonagiri,
Nalgonda District.

..... PETITIONER

AND

1. The Commissioner of Police, Cyberabad District

near LB Stadium, Hyderabad.
2 Nomula Murali, Circle Inspector of Police, Malkajigiri Police

Station, Malkajigiri Cyberabad District, Hyderabad.
3 T. Ravinder, Sub-Inspector of Police, Neredmet Police

Station, Neredmet, Cyberabad District, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particular one in the nature of Writ of Habeas Corpus petition setting aside the illegal detention of the petitioner's Siva Kumar

Boga, S/o Late Boga Swamy, aged about 25 years, C/o Sri Laxminarasimha Swamy Money Lenders, H. No.
1-7-120, RB Nagar, Bhonagiri, Nalgonda District, by directing Nomula Murali, CI of Police Malakajigiri Police Station and Ravinder, Sub Inspector of Police, Neredmet Police Station, to Cause the production of the detainee before this Honourable Court forthwith and set him at liberty forthwith from the illegal detention of 2nd and 3rd respondents and pass such other and further order or orders as this Honourable court may deem fit and proper and proper in the interest of justice.

For the Petitioner: Smt.Y.Raja Rajeswari, Advocate.

For the Respondents: The Advocate General.

WRIT PETITION NO : 8445 of 2005

Between:

Rajendra Prasad, S/o. Late Swamy Sri Laxminarasimha

Swamy, Money Lenders, 1/7/120, RB Nagar, Bhonagiri,

Nalgonda District.

..... PETITIONER

AND

1. The Station House Officer, Neredmet Police Station, Ranga

Reddy District.

2 The Station House Officer, Malkajigiri Police Station, Ranga

Reddy District.

3 The Superintendent of Police, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an Order, direction, or a writ, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents herein to produce the brother of the Petitioner hrein, Viz., Sivakumar, before this Hon'ble Court, who was taken away and detained by the Police Personnel of Malkajigiri Police Station since 11-04-2005, and apprehending danger to his life, and set him at liberty forthwith and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: Telegram

For the Respondents: The Advocate General.

WRIT PETITION NO : 8446 of 2005

Between:

Kamala, W/o. Manichand Kisore,
Prajapathi Money Lenders, Housing Board Colony Road,

Medchal, Ranga Reddy District.

..... PETITIONER

AND

1 The Station House Officer, Malkajigiri, Ranga Reddy District.
2 The Superintendent of Police, Ranga Reddy District at

Hyderabad.
3 The Superintendent of Police, Medak Distriat at Sanga Reddy.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents herein to produce the Petitioner's brother, Viz., Jawarilal, S/o. Giridharilal, and another, by name, Ramesh Muneem, S/o. Mohanlal, before this Hon'ble Court, who were forcibly taken away by Nomula Murali, Circle Inspector of Police, Malkajigiri Police Station and detained them in the Police Station and set them at liberty forthwith and to pass such other or further orders as this Honourable Court may deem fit and proper in the circumstances, of the case.

For the Petitioner: Telegram.

For the Respondents: The Advocate General.

The Court made the following:

COMMON ORDER: (per Sri B. Sudershan Reddy, J)

These three writ petitions are being disposed of by a common order since the subject matter that arises for consideration in all of them is one and the same.

The allegation in these three writ petitions relates to the illegal detention of 1) Siva Kumar Boga 2) Jawarilal and 3) Ramesh Muneem.

In the counter affidavit filed by the Inspector of Police, Malkajigiri Police Station,

Ranga Reddy District, it is stated that on the complaint given by one N. Eshwaraiah Muralidhar on
30-03-2005, Crime No. 90 of 2005 was registered under Sections 545 and 380 IPC on the file of the Malkajigiri Police Station against unknown offenders. It is not necessary to notice the further details in this regard.

It is further stated that so far as Jawarilal and Ramesh Muneem (alleged detenus in W.P No. 8446 of 2005) are concerned, it is stated that they have never been taken into custody nor are they required by the police in connection with commission of any offence as such. There are no cases registered against them. That so far as the alleged detenue Siva Kumar Boga is concerned, he was taken into custody on 14-04-2005 and was produced before the learned X Metropolitan Magistrate, Cyberabad at Malkajigiri on 15-04-2005 and upon such production, the learned Magistrate after hearing the alleged detenu passed orders remanding him to judicial custody for an initial period of 14 days. Pursuant to the said order, the alleged detenu Siva Kumar Boga is lodged in the Central Prison, Cherlapally, Ranga Reddy District.

In the circumstances, no further orders as such are required to be issued in these writ petitions directing the production of the alleged detenus. The Writ Petitions are accordingly closed.

(B. Sudershan Reddy, J)

21-04-2005

(C.V. Ramulu, J)

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To

1. The Commissioner of Police, Cyberabad District

near LB Stadium, Hyderabad.

2 Nomula Murali, Circle Inspector of Police, Malkajigiri Police

Station, Malkajigiri Cyberabad District, Hyderabad.

3 T. Ravinder, Sub-Inspector of Police, Neredmet Police

Station, Neredmet, Cyberabad District, Hyderabad.

4. The Station House Officer, Neredmet Police Station, Ranga

Reddy District.

5 The Station House Officer, Malkajigiri Police Station, Ranga

Reddy District.

6 The Superintendent of Police, Ranga Reddy District.

7. The Superintendent of Police, Medak Distriat at Sanga Reddy.

8. Two CCs to the Advocate General, High Court of Andhra Pradesh, Hyderabad (OUT).

9. Two CD copies.

10. The Superintendent, Central Prison, Cherlapally, Ranga Reddy District.

11. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

12. The Member Secretary, A.P State Legal Advisory Board, High Court Buildings, Hyderabad.

13. The Secretary to Govt. of A.P, Home Police Department, Secretariat, Hyderabad.